

APPEAL,LC-2

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CRIMINAL DOCKET FOR CASE #: 4:21-cr-00450-GKF-1

Case title: USA v. Goldesberry

Date Filed: 10/06/2021

Date Terminated: 01/25/2023

Assigned to: Judge Gregory K
Frizzell

Defendant (1)

Raymond Lee Goldesberry
TERMINATED: 01/25/2023

represented by **Andrea Brown**
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Tulsa, OK 74104
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18 USC 1151, 1153, and 2241(c):
Aggravated Sexual Abuse of a
Minor Under 12 in Indian Country
(1s)

Disposition

BOP: 360 months; SR: 10 years; SMA: \$100.00

Highest Offense Level (Opening)

Felony

Terminated Counts

18 USC 1151, 1153, and 2241(c):
Aggravated Sexual Abuse of a
Minor Under 12 in Indian Country
(1)

Disposition

Dismissed

18 USC 1151, 1153, and 2243(a):
Sexual Abuse of a Minor in Indian
Country
(2s)

Dismissed

Highest Offense Level
(Terminated)

Felony

Complaints

Disposition

None

Guardian Ad Litem

Shena Elaine Burgess

represented by **Shena Elaine Burgess**
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Designation: CJA or Other Appointment

Plaintiff

USA

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Designation: Government Attorney
(local,state,federal)

Date Filed	#	Page	Docket Text
10/06/2021	<u>1</u>		DEFENDANT INFORMATION SHEET(S) by USA as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 10/07/2021) Contains One or More Restricted PDFs
10/06/2021	<u>2</u>		SEALED INDICTMENT by USA as to Raymond Lee Goldesberry (1) count(s) 1 (crp, Dpty Clk) (Entered: 10/07/2021)
10/06/2021	<u>3</u>		SEALED UNREDACTED VERSION of Dkt # <u>2</u> per FRCrP 49.1(f) (crp, Dpty Clk) (Entered: 10/07/2021) Contains One or More Restricted PDFs
10/06/2021	<u>4</u>		WARRANT Issued by Court Clerk as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 10/07/2021) Contains One or More Restricted PDFs
10/13/2021	<u>5</u>		MOTION for Detention by USA as to Raymond Lee Goldesberry (dlg, Dpty Clk) Modified on 10/18/2021- WITHDRAWN per <u>13</u> (srt, Dpty Clk). (Entered: 10/13/2021)
10/13/2021	<u>6</u>		MOTION for Hearing (Re: <u>5</u> MOTION for Detention) by USA as to Raymond Lee Goldesberry (dlg, Dpty Clk) (Entered: 10/13/2021)
10/13/2021			***Case Unsealed as to Raymond Lee Goldesberry (dlg, Dpty Clk) (Entered: 10/13/2021)
10/13/2021	<u>7</u>		MINUTES of Proceedings – held before Magistrate Judge Susan E Huntsman: Initial Appearance held on 10/13/2021 , Arraignment held on 10/13/2021 , adding attorney Andrea Brown for Raymond Lee Goldesberry, ruling on motion(s)/document(s): #6 granted, setting/resetting deadline(s)/hearing(s): (Detention Hearing set for 10/14/2021 at 02:00 PM before Magistrate Judge Christine D Little), ordering defendant be detained as to Raymond Lee Goldesberry (Re: <u>6</u> MOTION for Hearing) (Court Reporter: c1) (dlg, Dpty Clk) (Entered: 10/13/2021)
10/13/2021	<u>8</u>		ORDER by Magistrate Judge Susan E Huntsman <i>setting detention hearing</i> , ordering defendant be detained as to Raymond Lee Goldesberry (dlg, Dpty Clk) (Entered: 10/13/2021)
10/13/2021	<u>9</u>		ORDER by Magistrate Judge Susan E Huntsman <i>re: Brady</i> as to Raymond Lee Goldesberry (dlg, Dpty Clk) (Entered: 10/13/2021)
10/14/2021	<u>10</u>		MOTION for Protective Order by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 10/14/2021)
10/14/2021	11		

		MINUTE ORDER by Judge Claire V Eagan , referring motion(s) to Magistrate Judge Christine D. Little (Re: <u>10</u> MOTION for Protective Order) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (RGG, Chambers) (Entered: 10/14/2021)
10/14/2021	<u>12</u>	ORDER by Magistrate Judge Susan E Huntsman (<i>Protective Order</i>), ruling on motion(s)/document(s): #10 granted (Re: <u>10</u> MOTION for Protective Order) as to Raymond Lee Goldesberry (tjc, Dpty Clk) (Entered: 10/14/2021)
10/14/2021	<u>13</u>	MINUTES of Proceedings – held before Magistrate Judge Susan E Huntsman: Detention Hearing held on 10/14/2021 , setting/resetting bond, striking/terminating deadline(s)/hearing(s), defendant remain/released on conditions, striking/withdrawing document(s) as to Raymond Lee Goldesberry (Re: <u>5</u> MOTION for Detention) (Documents Terminated: <u>5</u> MOTION for Detention) (Court Reporter: C1) (sdc, Dpty Clk) (Entered: 10/14/2021)
10/14/2021	<u>14</u>	BOND approved by Magistrate Judge Susan E Huntsman as to Raymond Lee Goldesberry (sdc, Dpty Clk) (Entered: 10/14/2021)
10/14/2021	<u>15</u>	ORDER by Magistrate Judge Susan E Huntsman , setting conditions of release as to Raymond Lee Goldesberry (sdc, Dpty Clk) (Entered: 10/14/2021)
10/18/2021	<u>16</u>	ATTORNEY APPEARANCE (Retained) by Andrea Brown on behalf of Raymond Lee Goldesberry (Brown, Andrea) (Entered: 10/18/2021)
10/18/2021	<u>17</u>	SCHEDULING ORDER by Judge Claire V Eagan (<i>Initial</i>), setting/resetting scheduling order date(s): (Motions due by 11/2/2021, Responses due by 11/16/2021, Pretrial Conference set for 12/1/2021 at 11:00 AM before Judge Claire V Eagan, Jury Instructions, Voir Dire & Trial Briefs due by 12/13/2021, Jury Trial set for 12/20/2021 at 09:15 AM before Judge Claire V Eagan) as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 10/18/2021)
10/25/2021	<u>18</u>	WARRANT Returned Executed as to Raymond Lee Goldesberry (lmt, Dpty Clk) (Entered: 10/25/2021)
11/17/2021	<u>19</u>	Unopposed MOTION to Accelerate/Extend/Reset Hearing(s)/Deadline(s) of <i>Jury Trial and other related Deadlines</i> by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 11/17/2021)
11/17/2021	<u>20</u>	WAIVER of Speedy Trial by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 11/17/2021)
11/19/2021	<u>21</u>	ORDER by Judge Claire V Eagan <i>defendant's motion to continue deadlines and for a new scheduling order (Dkt. # 19) is granted. The pretrial conference set for December 1, 2021 and jury trial set for December 20, 2021 are STRICKEN and RESET</i> , ruling on motion(s)/document(s): #19 granted, setting/resetting scheduling order date(s): (Motions due by 1/6/2022, Responses due by 1/20/2022, Pretrial Conference set for 2/3/2022 at 10:30 AM before Judge Claire V Eagan, Jury Instructions, Voir Dire & Trial Briefs due by 2/15/2022, Jury Trial set for 2/22/2022 at 09:15 AM before Judge Claire V Eagan) (Re: <u>19</u> Unopposed MOTION to Accelerate/Extend/Reset Hearing(s)/Deadline(s) of <i>Jury Trial and other related Deadlines</i>) as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 11/19/2021)
01/31/2022	<u>22</u>	ATTORNEY APPEARANCE by Reagan Vincent Reininger on behalf of USA [Note: Attorney Reagan Vincent Reininger added to party USA(pty:pla).]

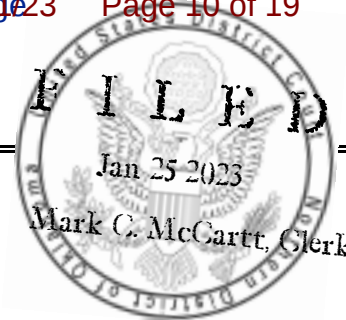
		(Reininger, Reagan) (Entered: 01/31/2022)
02/01/2022	<u>23</u>	MINUTE ORDER by Judge Claire V Eagan (<i>TIME CHANGE ONLY</i>), setting/resetting scheduling order date(s): (Pretrial Conference set for 2/3/2022 at 10:15 AM before Judge Claire V Eagan) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (crp, Dpty Clk) (Entered: 02/01/2022)
02/02/2022	<u>24</u>	MOTION to Accelerate/Extend/Reset Hearing(s)/Deadline(s) of <i>Pre–Trial Conference, Other Deadlines and Trial Date</i> by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 02/02/2022)
02/02/2022	<u>25</u>	WAIVER of Speedy Trial by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 02/02/2022)
02/02/2022	<u>26</u>	ORDER by Judge Claire V Eagan <i>defendant's motion to continue deadlines, including the pretrial conference and the jury trial (Dkt. # 24) is granted. The pretrial conference set for February 3, 2022 and jury trial set for February 22, 2022 are STRICKEN and RESET</i> , ruling on motion(s)/document(s): #24 granted, setting/resetting scheduling order date(s): (Motions due by 2/8/2022, Responses due by 2/22/2022, Pretrial Conference set for 3/8/2022 at 10:00 AM before Judge Claire V Eagan, Jury Instructions, Voir Dire & Trial Briefs due by 3/14/2022, Jury Trial set for 3/21/2022 at 09:15 AM before Judge Claire V Eagan) (Re: <u>24</u> MOTION to Accelerate/Extend/Reset Hearing(s)/Deadline(s) of <i>Pre–Trial Conference, Other Deadlines and Trial Date</i>) as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 02/02/2022)
03/03/2022	<u>27</u>	ATTORNEY APPEARANCE by Kyle Moran McWaters on behalf of USA [Note: Attorney Kyle Moran McWaters added to party USA(pty:pla).] (McWaters, Kyle) (Entered: 03/03/2022)
03/07/2022	<u>28</u>	NOTICE Intent to Admit Evidence of Other Acts by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 03/07/2022)
03/08/2022	<u>29</u>	MINUTES of Proceedings – held before Judge Claire V Eagan: Pretrial Conference held on 3/8/2022 <i>ETT: 3 days</i> , striking/terminating deadline(s)/hearing(s) as to Raymond Lee Goldesberry (Re: <u>28</u> Notice (Other)) (Court Reporter: Greg Bloxom) (crp, Dpty Clk) (Entered: 03/08/2022)
03/08/2022	<u>30</u>	STIPULATION <i>as to Indian Country</i> by USA, Raymond Lee Goldesberry as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 03/08/2022)
03/08/2022	<u>31</u>	STIPULATION <i>Defendant Goldesberry's Indian Status</i> by USA, Raymond Lee Goldesberry as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 03/08/2022)
03/08/2022	32	MINUTE ORDER by Judge Claire V Eagan <i>due to the Court's trial schedule, the 3/21/22 jury trial is STRICKEN and RESET to 3/28/22 at 8:15 a.m.</i> , setting/resetting scheduling order date(s): (Jury Instructions, Voir Dire & Trial Briefs due by 3/21/2022, Jury Trial set for 3/28/2022 at 08:15 AM before Judge Claire V Eagan) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (crp, Dpty Clk) (Entered: 03/08/2022)
03/11/2022	<u>33</u>	MOTION in Limine by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/11/2022)

03/11/2022	<u>34</u>	SEALED DOCUMENT (Brown, Andrea) (Entered: 03/11/2022) Contains One or More Restricted PDFs
03/11/2022	<u>35</u>	MINUTE ORDER by Judge Claire V Eagan – <i>The Court notes that sealed exhibit (Dkt. # 34) was filed without the proper case caption cover page, and that it is intended as an exhibit to the motion (Dkt. # 33). Counsel is directed that all future filings, whether motion or exhibit, sealed or otherwise, shall be filed with a proper case caption cover page.</i> (Re: <u>34</u> Sealed Document, <u>33</u> MOTION in Limine) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (RGG, Chambers) (Entered: 03/11/2022)
03/14/2022	<u>36</u>	RESPONSE to Governments Intent to use Evidence or Other Crimes (Re: <u>28</u> Notice (Other)) by Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/14/2022)
03/14/2022	<u>37</u>	SEALED MOTION (Dial, Chantelle) (Entered: 03/14/2022) Contains One or More Restricted PDFs
03/14/2022	<u>38</u>	SEALED ORDER (lmt, Dpty Clk) (Entered: 03/14/2022) Contains One or More Restricted PDFs
03/15/2022	<u>39</u>	SEALED MOTION (Dial, Chantelle) (Entered: 03/15/2022) Contains One or More Restricted PDFs
03/16/2022	<u>40</u>	AFFIDAVIT/CERTIFICATE/PROOF/RETURN of Service for <i>Stacia Alsabrook</i> as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/16/2022)
03/16/2022	<u>41</u>	SEALED ORDER (blc, Dpty Clk) (Entered: 03/16/2022) Contains One or More Restricted PDFs
03/18/2022		***Remark: subpoena issued as to <i>Carla Barboza</i> as to Raymond Lee Goldesberry (blc, Dpty Clk) (Entered: 03/18/2022)
03/18/2022	<u>42</u>	PROPOSED VOIR DIRE as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/18/2022)
03/18/2022	<u>43</u>	RESPONSE in Opposition to Motion (Re: <u>33</u> MOTION in Limine) by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 03/18/2022)
03/21/2022	<u>44</u>	PROPOSED VOIR DIRE by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 03/21/2022)
03/21/2022	<u>45</u>	PROPOSED JURY INSTRUCTIONS by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 03/21/2022)
03/21/2022	<u>46</u>	SEALED DOCUMENT (Dial, Chantelle) (Entered: 03/21/2022) Contains One or More Restricted PDFs
03/21/2022	<u>47</u>	DEFENDANT INFORMATION SHEET(S) by USA as to Raymond Lee Goldesberry (clb, Dpty Clk) (Entered: 03/22/2022) Contains One or More Restricted PDFs
03/21/2022	<u>48</u>	SUPERSEDING INDICTMENT by USA as to Raymond Lee Goldesberry (1 count(s) 1s, 2s (clb, Dpty Clk) (Entered: 03/22/2022)

03/21/2022	<u>49</u>		SEALED UNREDACTED VERSION of Dkt # <u>48</u> per FRCrP 49.1(f) (clb, Dpty Clk) (Entered: 03/22/2022) Contains One or More Restricted PDFs
03/22/2022	<u>50</u>		SUMMONS Issued by Court Clerk as to Raymond Lee Goldesberry (clb, Dpty Clk) (Entered: 03/22/2022) Contains One or More Restricted PDFs
03/23/2022	<u>51</u>		MOTION to Quash <i>Government's Subpoena</i> by Raymond Lee Goldesberry (With attachments) (Brown, Andrea) Modified on 3/31/2022 to seal PDF of Exhibits, per filer request (ll, Dpty Clk). (Entered: 03/23/2022) Contains One or More Restricted PDFs
03/23/2022	52		MINUTE ORDER by Judge Claire V Eagan , referring motion(s) to Magistrate Judge Susan Huntsman (Re: <u>51</u> MOTION to Quash <i>Government's Subpoena</i>) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (crp, Dpty Clk) (Entered: 03/23/2022)
03/23/2022	<u>53</u>		SUMMONS Issued by Court Clerk as to Raymond Lee Goldesberry (ll, Dpty Clk) (Entered: 03/23/2022) Contains One or More Restricted PDFs
03/23/2022	<u>54</u>		MOTION in Limine by USA as to Raymond Lee Goldesberry (McWaters, Kyle) (Entered: 03/23/2022)
03/23/2022	<u>55</u>		TRIAL BRIEF as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/23/2022)
03/24/2022	<u>56</u>		RESPONSE in Support of Motion (Re: <u>51</u> MOTION to Quash <i>Government's Subpoena</i>) by USA as to Raymond Lee Goldesberry (Dial, Chantelle) (Entered: 03/24/2022)
03/24/2022	<u>57</u>		AFFIDAVIT/CERTIFICATE/PROOF/RETURN of Service <i>Carla Barboza</i> as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 03/24/2022)
03/24/2022	<u>58</u>		MINUTES of Proceedings – held before Magistrate Judge Christine D Little: Arraignment held on 3/24/2022 , striking/terminating deadline(s)/hearing(s), defendant remain/released on conditions as to Raymond Lee Goldesberry (Court Reporter: C1) (sdc, Dpty Clk) (Entered: 03/24/2022)
03/24/2022	<u>59</u>		ORDER by Magistrate Judge Christine D Little , ruling on motion(s)/document(s): #51 moot (Re: <u>51</u> MOTION to Quash <i>Government's Subpoena</i>) as to Raymond Lee Goldesberry (dlg, Dpty Clk) (Entered: 03/24/2022)
03/28/2022	60		MINUTE ORDER by Court Clerk directly, reassigning case to Judge John Antoon, II. Judge Claire V Eagan no longer assigned to case, changing case number to 21–cr–450–JA, setting/resetting deadline(s)/hearing(s): (Jury Trial set for 3/28/2022 at 08:00 AM before Judge John Antoon II) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (clb, Dpty Clk) (Entered: 03/28/2022)
03/28/2022	61		MINUTES of Proceedings – held before Judge John Antoon, II: Voir Dire/Jury Selection began as to Raymond Lee Goldesberry (Court Reporter: Leslie Ruiz) (clb, Dpty Clk) (Entered: 03/28/2022)
03/28/2022	62		MINUTES of Proceedings – held before Judge John Antoon, II: Voir Dire/Jury Selection held on 3/28/2022 as to Raymond Lee Goldesberry (Court Reporter: Leslie Ruiz) (clb, Dpty Clk) (Entered: 03/28/2022)

03/28/2022	<u>63</u>	MINUTES of Proceedings – held before Judge John Antoon, II: Jury Trial began as to Raymond Lee Goldesberry (Court Reporter: Leslie Ruiz) (clb, Dpty Clk) (Entered: 03/28/2022)
03/28/2022	<u>64</u>	MINUTES of Proceedings – held before Judge John Antoon, II: Jury Trial held <i>and continued to following day</i> , setting/resetting scheduling order date(s): (Jury Trial set for 3/29/2022 at 08:45 AM before Judge John Antoon II) as to Raymond Lee Goldesberry (Court Reporter: Leslie Ruiz) (clb, Dpty Clk) (Entered: 03/28/2022)
03/29/2022	<u>65</u>	MINUTES of Proceedings – held before Judge John Antoon, II: Jury Trial held <i>and continued to following day</i> , setting/resetting scheduling order date(s): (Jury Trial set for 3/30/2022 at 08:30 AM before Judge John Antoon II) as to Raymond Lee Goldesberry (Court Reporter: Leslie Ruiz) (clb, Dpty Clk) (Entered: 03/29/2022)
03/30/2022	<u>66</u>	MINUTES of Proceedings – held before Judge John Antoon, II: Jury Trial completed , ruling on motion(s)/document(s): #33 and #54 ruled on, striking/terminating deadline(s)/hearing(s), ordering defendant be detained as to Raymond Lee Goldesberry (Re: <u>54</u> MOTION in Limine , <u>33</u> MOTION in Limine) (Court Reporter: Leslie Ruiz) (With attachments) (clb, Dpty Clk) (Entered: 03/31/2022)
03/30/2022	<u>68</u>	JURY INSTRUCTIONS by Judge John Antoon, II as to Raymond Lee Goldesberry (clb, Dpty Clk) (Entered: 03/31/2022)
03/30/2022	<u>69</u>	JURY VERDICT as to Raymond Lee Goldesberry (1) Guilty on Count 1s (clb, Dpty Clk) (Entered: 03/31/2022)
09/22/2022	<u>70</u>	SEALED DOCUMENT (Burgess, Shena) (Entered: 09/22/2022) Contains One or More Restricted PDFs
12/12/2022	<u>71</u>	MINUTE ORDER by Court Clerk this case having been returned to the Clerk of Court for reassignment and random reassignment having been completed, reassigning case to Judge Gregory K Frizzell. Judge John Antoon, II no longer assigned to case, changing case number to 21–cr–450–GKF as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (crp, Dpty Clk) (Entered: 12/12/2022)
12/12/2022	<u>72</u>	MINUTE ORDER by Judge Gregory K Frizzell <i>having received notification from the United States Probation Office that disclosure of the PSR has been made, the Sentencing hearing is set for January 27, 2023 at 9:30 a.m.</i> , setting/resetting sentencing: (Sentencing set for 1/27/2023 at 09:30 AM before Judge Gregory K Frizzell) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (kjp, Dpty Clk) (Entered: 12/12/2022)
01/04/2023	<u>73</u>	TRANSCRIPT of Proceedings (Unredacted) of Excerpt of Jury Trial Proceedings, Testimony of Kelsey Blevins held on 03/29/2022 before Judge John Antoon, II (Court Reporter: Leslie K. Ruiz) (Pages: 1–79). NOTICE RE REDACTION OF TRANSCRIPTS: A party must file a Transcript Redaction Request within 21 calendar days. If a party fails to request redaction, this unredacted transcript may be made electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may view the transcript at the court public

			terminal at no charge or may purchase a copy from the court reporter. (Re: 65 Minutes of Jury Trial Held,, Setting/Resetting Scheduling Order Date(s),) as to Raymond Lee Goldesberry (lkr, Crt Rptr) (Entered: 01/04/2023) Contains One or More Restricted PDFs
01/11/2023	<u>74</u>		MINUTE ORDER by Judge Gregory K Frizzell <i>striking sentencing hearing on 1/27/2023 and</i> , referring Sentencing to Judge Sippel, setting/resetting sentencing: <i>To be held in Courtroom 5</i> (Sentencing set for 1/24/2023 at 02:30 PM before Judge Rodney W Sippel) as to Raymond Lee Goldesberry (This entry is the Official Order of the Court. No document is attached.) (kjp, Dpty Clk) (Entered: 01/11/2023)
01/11/2023	<u>75</u>		SENTENCING MEMORANDUM as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 01/11/2023)
01/12/2023			*** Sentencing Memorandum Referred to Judge Sippel (Re: <u>75</u> Sentencing Memorandum) as to Raymond Lee Goldesberry (kjp, Dpty Clk) (Entered: 01/12/2023)
01/24/2023	<u>76</u>		MINUTES of Proceedings – held before Judge Rodney W Sippel: Sentencing held on 1/24/2023 , striking/terminating deadline(s)/hearing(s) as to Raymond Lee Goldesberry (Re: <u>69</u> Jury Verdict, <u>48</u> Indictment, <u>75</u> Sentencing Memorandum) (Court Reporter: Terri Beeler) (crp, Dpty Clk) (Entered: 01/24/2023)
01/25/2023	<u>77</u>		JUDGMENT AND COMMITMENT by Judge Rodney W Sippel , entering judgment as to Raymond Lee Goldesberry (crp, Dpty Clk) (Entered: 01/25/2023)
01/30/2023	<u>78</u>		NOTICE OF APPEAL to Circuit Court (Re: <u>77</u> Judgment and Commitment, Entering Judgment) as to Raymond Lee Goldesberry (Brown, Andrea) (Entered: 01/30/2023)
01/30/2023	<u>79</u>		MOTION for Leave to Appeal in Forma Pauperis (Re: <u>78</u> Notice of Appeal to Circuit Court) by Raymond Lee Goldesberry (With attachments) (Brown, Andrea) (Entered: 01/30/2023)



UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

RAYMOND LEE GOLDESBERRY

JUDGMENT IN A CRIMINAL CASE

Case Number: 4:21CR00450-1

USM Number: 69302-509

Andrea Brown

Defendant's Attorney

THE DEFENDANT:☐ pleaded guilty to count(s)☐ pleaded nolo contendere to count(s)
which was accepted by the Court.☒ was found guilty on count One of the Superseding Indictment
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1151, 1152, and 2241(c)	Aggravated Sexual Abuse of a Minor Under 12 in Indian Country	9/13/17	1

The defendant is sentenced as provided in this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☒ The original Indictment and Count Two of the Superseding Indictment are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant must notify the Court and United States Attorney of material changes in economic circumstances.

January 24, 2023

Date of Imposition of Judgment

Signature of Judge

Rodney W. Sippel, United States District Judge

Name and Title of Judge

January 25, 2023

Date

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: 360 months.

- ☒ The Court makes the following recommendations to the Bureau of Prisons:
The Court recommends defendant be placed in either the Texarkana or Seagoville facilities or as close to Tulsa, Oklahoma, as possible.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of: Ten years.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☒ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

STANDARD CONDITIONS OF SUPERVISION

As part of your supervision, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when to report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by the probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person, such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may, after obtaining Court approval, notify the person about the risk or require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

AO 245B (Rev. 10/17) Judgment in a Criminal Case
Sheet 3B — Supervised Release

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall abide by the “Special Sex Offender Conditions” previously adopted by the Court, as follows:

1. The defendant shall register pursuant to the provisions of the Sex Offender Registration Notification Act (SORNA) (Public Law 109-248) and any applicable state registration law.
2. The defendant shall participate in and successfully complete sex offender treatment, to include a risk assessment and physiological testing, at a program or by a therapist and on a schedule approved by the probation officer. The defendant shall abide by the rules, requirements, conditions, policies and procedures of the program to include specific directions to undergo periodic polygraph examinations or other types of testing as a means to ensure that the defendant is in compliance with the requirements of his/her supervision or treatment program. The defendant shall waive any right of confidentiality in any treatment or assessment records to allow the probation officer to review the course of treatment and progress with the treatment provider. The defendant may be required to contribute to the cost of services rendered (co-payment) in an amount to be determined by the probation office, based on the defendant’s ability to pay.
3. Except for immediate family members,¹ the defendant shall have no contact with persons under the age of 18 unless approved by the probation officer. The defendant will immediately report any unauthorized contact with persons under the age of 18 to the probation officer. The defendant will not enter or loiter within 100 feet of schools, parks, playgrounds, arcades, or other places frequented by persons under the age of 18.
4. The defendant shall not possess or view books or any form of writings, images or videos depicting or describing sexually explicit conduct or child pornography, as defined in 18 U.S.C. §§ 2256(2) and 2256(8).
5. The defendant shall submit his/her person, property, residence, office, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), electronic communication devices, data storage devices, or media, to a search, conducted by the probation officer at a reasonable time and in a reasonable manner, based on a reasonable suspicion of contraband or evidence of a violation of a condition of release (except as set forth in the Computer and Internet Restriction Condition (Paragraph 7(b)), if imposed). Failure to submit to a search may be grounds for revocation. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition.
7. The defendant shall abide by the following computer restrictions and monitoring conditions:
 - a. The defendant shall disclose all electronic communications devices, data storage devices, e-mail accounts, internet connections and internet connection devices, including screen names, user identifications, and passwords, to the probation officer; and shall immediately advise the probation officer of any changes in his/her email accounts, connections, devices, or passwords.
 - b. The defendant shall allow the probation officer to install computer monitoring software on any computer, as defined by 18 U.S.C. § 1030(e)(1), that the defendant owns, utilizes or has the ability to access. The cost of remote monitoring software shall be paid by the defendant. To ensure compliance with the computer monitoring condition, the defendant shall allow the probation officer to conduct periodic, unannounced searches of any computer subject to computer monitoring. These searches shall be conducted for the purposes of determining whether the computer contains any prohibited data prior to installation of the monitoring software; to determine whether the monitoring software is functioning effectively after its installation; and to determine whether there have been attempts to circumvent the monitoring software after its installation. Additionally, the defendant shall warn other people who use these computers that the computers may be subject to searches pursuant to this condition.

¹ “Immediate family member” is defined as siblings, children, grandchildren, persons to whom the offender stands in *loco parentis*, and persons living in the offender’s household and related by blood or marriage.

AO 245B (Rev. 10/17) Judgment in a Criminal Case
Sheet 3B — Supervised Release

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

SPECIAL CONDITIONS OF SUPERVISION

- c. The defendant shall not access any on-line service using an alias, or access any on-line service using the internet account, name, or designation of another person or entity; and shall report immediately to the probation officer access to any internet site containing prohibited material.
- d. The defendant is prohibited from using any form of encryption, cryptography, stenography, compression, password protected files or other methods that limit access to, or change the appearance of, data and/or images.
- e. The defendant is prohibited from altering or destroying records of computer use, including the use of software or functions designed to alter, clean or “wipe” computer media, block monitoring software, or restore a computer to a previous state.

U.S. Probation Officer Use Only

A U.S Probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this Judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

AO 245B (Rev. 10/17) Judgment in a Criminal Case
Sheet 5 — Criminal Monetary Penalties

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$100	Not Ascertainable	N/A	N/A	N/A

☐ The determination of restitution is deferred until
An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to Plea Agreement \$ _____

☐ The defendant must pay interest on any fine or restitution of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the Judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The Court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Raymond Lee Goldesberry
CASE NUMBER: 4:21CR00450-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☒ Lump sum payment of \$ 100 due immediately, balance due
- ☐ not later than _____, or
- ☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this Judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 90 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:
- Any monetary payment is due in full immediately, but payable on a schedule to be determined pursuant to the policy provision of the Federal Bureau of Prisons' Inmate Financial Responsibility Program if the defendant voluntarily participates in this program. If a monetary balance remains, payment is to commence no later than 60 days following release from imprisonment to a term of supervised release in equal monthly payments of \$50 or 10% of net income (take home pay), whichever is greater, over the duration of the term of supervised release and thereafter as prescribed by law for as long as some debt remains. Notwithstanding establishment of a payment schedule, nothing shall prohibit the United States from executing or levying upon property of the defendant discovered before or after the date of this Judgment.

Unless the Court has expressly ordered otherwise, if this Judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several
- Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTa assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

-vs.-

RAYMOND LEE GOLDESBERRY,

Defendant.

No. 21-Cr-450-1

DEFENDANT'S NOTICE OF APPEAL

NOTICE is hereby given that Defendant Raymond Lee Goldesberry hereby appeals the Judgment and Commitment Order entered on January 25, 2023, to the United States Court of Appeals for the Tenth Circuit.

Respectfully submitted,

s/Andrea Brown

Andrea Brown, OBA #22682
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(918) 587-2700 (w)
(918) 625-1098 (c)
(918) 743-1002 (f)
abrown@swabstall.com

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of January, 2023, a true and correct copy of the above and foregoing pleading was delivered electronically by use of the Court's ECF system to the following:

AUSA Chantelle Dial
Assistant United States Attorney
Office of the United States Attorney
110 West 7th Street, Suite 300
Tulsa, Oklahoma 74119

/s/ Andrea Brown

Andrea Brown